

Record of proceedings dated 15.06.2016

I. A. No. 1 of 2016
IN
O. P. No. 88 of 2015

M/s. Exhibition Society Vs Nil

Application filed u/s 94 (1) (f) of the Electricity Act, 2003 seeking restoration of the original petition for exemption from license under Section 13 of Electricity Act, 2003

Sri Srinivasa Rao. Putluri, Advocate representing Sri O. Manohar Reddy, Counsel for the petitioner is present. The advocate stated that the present petition is filed to set aside the order of dismissing the original petition in O. P. No. 80 of 2015 filed by the petitioner by order dated 26.11.2015. The advocate stated that the Office Superintendent of the petitioner was attending hearing and on the last date of hearing the Secretary was required to be present, but due to communication gap neither the Secretary nor the Office Superintendent appeared before the Commission. The said action / inaction is neither wilful nor wanton.

The Commission required the advocate to argue the matter on merits. However, the advocate requested that another date may be fixed for arguing the merits of the case and for the present the Commission may order restoration of the O. P.

The Commission keeping in view that the petitioner is not entitled to the relief in the original petition unless there is recommendation from the government, the issue requires through examination upon submissions made by the petitioner, has agreed to restore the petition to file and adjourned to main case to be posted on 04.07.2016. Office is directed to communicate the decision of the Commission on the application.

Sd/-
Member

Sd/-
Member

Call on 04.07.2016
At 11.00 AM
Sd/-
Chairman

O. P. No. 89 of 2015

M/s. Bhagyanagar India Ltd. Vs Govt. of Telangana, TSSPDCL, TSTRANSCO and Officers

Petition filed questioning the action of the licensees in demanding payment of wheeling charges contrary to the tariff order dt.09.05.2014 of erstwhile APERC

Sri. Challa Gunaranjan counsel for the petitioner along with Sri Vizhay Babu. T, Advocate and Sri. Y. Rama Rao, Counsel for the respondents along with Smt. Priya Iyengar. Advocate are present. The counsel for the petitioner stated that similar cases were listed for hearing on 13.06.2016 and were adjourned to 22.06.2016. Hence this case may also be posted to the same date. The counsel for the respondent has no objection for the same.

The Commission adjourned the hearing and directed the parties to place the correct figures regarding the adjustment of the amount and also the amounts due to be adjusted by the next date of hearing without fail.

Sd/-
Member

Sd/-
Member

Call on 22.06.2016
At 3.30 PM
Sd/-
Chairman

O. P. No. 90 of 2015

M/s Lodha Healthy Construction and Developers Private Limited Vs TSSPDCL & Officers

Petition filed questioning the action of DISCOM in not implementing the order of the Vidyut Ombudsman and to punish the Licensee u/s 142 of the Electricity Act, 2003.

Sri. Challa. Gunaranjan, Counsel for the petitioner along with Sri Vizhay Babu. T, Advocate and Sri. Y. Rama Rao, Counsel for the respondent along with Smt. Priya Iyengar, Advocate are present. The counsel for the petitioner submitted his arguments in the matter with regard to implementation of the Ombudsman order and compliance of the same along with interim order granted by Hon'ble High Court. The total amount according to petitioner which requires adjustment as per direction of the Hon'ble High Court is Rs. 37,97,708.

On the other hand the counsel for the respondent stated that the Discom has complied with the order of the Vidyut Ombudsman as well as by interim order of the Hon'ble High Court by giving fresh notice as required and passed necessary orders after considering the submission of the petitioner.

The Commission directed the licensee to report the status of compliance of the order of the Ombudsman subsequent to the interim order of the Hon'ble High Court with

regard to adjustment of amounts claimed by the petitioner. The licensee shall place the actual figures in respect of amounts due and the amount required to be adjusted in respect of category change of the petition. The case is adjourned.

Call on 04.07.2016

At 11.00 AM

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No. 91 of 2015

M/s. Sanathnagar Enterprises Ltd. vs TSSPDCL & Officers

Petition filed questioning the action of DISCOM in not implementing the order of the Vidyut Ombudsman and to punish the licensee u/s 142 of the Electricity Act, 2003.

Sri. Challa. Gunaranjan, Counsel for the petitioner along with Sri Vizhay Babu. T, Advocate and Sri. Y. Rama Rao, Counsel for the respondent along with Smt. Priya Iyengar, Advocate are present. The counsel for the petitioner submitted his arguments in the matter with regard to implementation of the Ombudsman order and compliance of the same along with interim order granted by Hon'ble High Court. The total amount according to petitioner which requires adjustment as per direction of the Hon'ble High Court is Rs. 21,00,000/-.

On the other hand the counsel for the respondent stated that the Discom has complied with the order of the Vidyut Ombudsman as well as by interim order of the Hon'ble High Court by giving fresh notice as required and passed necessary orders after considering the submission of the petitioner.

The Commission directed the licensee to report the status of compliance of the order of the Ombudsman subsequent to the interim order of the Hon'ble High Court with regard to adjustment of amounts claimed by the petitioner. The licensee shall place the actual figures in respect of amounts due and the amount required to be adjusted in respect of category change of the petition. The case is adjourned.

Call on 04.07.2016

At 11.00 AM

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No. 94 of 2015
And
I. A. No. 3 of 2016
And
I. A. No. 4 of 2016

M/s MLR Industries Private Limited vs TSSPDCL & Officers

Petition filed for drawing of energy pumped from the solar project during day time to be utilized as banked energy between 12 AM and 6 Am

Petitioner filed an I. A. seeking for fixing of early date by advancing the hearing of the main case from 15.06.2016 (I. A. No. 3 of 2016)

Petitioner filed an I. A. seeking interim orders for utilising the solar power generated by it during night (I. A. No. 4 of 2016).

Sri. B. Adinarayana Rao, Senior Advocate for Sri M. Mohan Rao Counsel for the petitioner and Sri. Y. Rama Rao, Counsel for the respondent along with Smt. Priya Iyengar, Advocate are present. The senior counsel for the petitioner submitted arguments duly narrating the facts and pointed out the inadequacies in following the Act, 2003 and the regulation made by the Commission from time to time. He pointed out that the regulations are binding on the licensee. He also read out the relevant portions of the counter affidavit which runs contrary to the provisions of Act, 2003 and regulations. The counsel for the respondents sought time and the next date of hearing for enabling him to make submissions in the matter. Adjourned for the submissions of counsel for the respondents and reply if any by the counsel for the petitioner.

Call on 04.07.2016

At 11.00 AM

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

R. P. No. 1 of 2016

IN

O. P. No. 11 of 2015

M/s. SLT Power & Infrastructure Projects Private Limited vs Govt. of Telangana,
TSTRANSCO, TSSPDCL & NREDCAP

Petition seeking review of the Commission Order dated 27.01.2016 under section 94 (1) of the Electricity Act, 2003.

There is no representation on behalf of petitioner Sri. Y. Rama Rao, Counsel for the respondent along with Smt. Priya Iyengar, Advocate are present. None represented

even though notice was issued long ago. The counsel for the respondent has stated that neither he nor his clients have received notice in the matter, therefore, the same may be adjourned for the next date of hearing.

The Commission has adjourned the hearing at the request of counsel for the respondent and required the office to verify whether notice has been served on the petitioner and respondent.

Sd/-
Member

Sd/-
Member

Call on 04.07.2016
At 11.00 AM
Sd/-
Chairman

O. P. No. 2 of 2016

M/s. Ultra Tech Cement Limited vs TSSPDCL, SE (O), RR South, SAO (o), RR South & DE (O), TSSPDCL

Petition filed questioning of the action of DISCOM in not implementing the order of CGRF as confirmed by Hon'ble High Court.

Sri. Challa. Gunaranjan, Counsel for the petitioner along with Sri Vizhay Babu. T, Advocate and Sri. Y. Rama Rao, Counsel for the respondent along with Smt. Priya. Iyengar, Advocate are present. The counsel for the petitioner stated that the petitioner is seeking implementation of the order of the Vidyuth Ombudsman and similar matters have already been posted to 22.6.2016, therefore, this case also may be posted to the same date. The counsel for the respondents has no objection.

The Commission has adjourned the hearing in view of the request of counsel for the petitioner and directed the counsel for the respondents to place before the Commission the status of implementation of the order of the CGRF.

Sd/-
Member

Sd/-
Member

Call on 22.06.2016
At 3.30 PM
Sd/-
Chairman

O. P. No. 4 of 2016

State Load Despatch Centre of Telangana State, TSTRANSCO vs TSGENCO, SLDC and Southern Regional Power Committee, CEA, Bangalore

Petition filed u/s 86 (1) (f) of the Electricity Act, 2003 seeking compliance of the provisions of Indian Electricity Grid Code (IEGC) regarding Restricted Governor Mode

Operation (RGMO) / Free Governor Mode Operation (FGMO) as provided in Clauses 5.2 (f), (g), (h) and (i) of the IEGC.

Sri P. Suresh Babu, representative of TSSLDLDC and Sri K. Venkateswarlu, Chief Engineer, Generation of TSGENCO are present. Several technical aspects have been stated by both the representatives. It is also stated that the present petition is a result of directions from the Central Commission and insistence on the same by the SRPC.

The Commission has adjourned the hearing by directing both the parties to examine requirements of making technical improvements in line with Electricity Grid Code and on how the same is being implemented by NTPC for its generating units for the same quantity of coal received and make submissions on the next date of hearing.

Sd/-
Member

Sd/-
Member

Call on 04.07.2016
At 11.00 AM
Sd/-
Chairman

O. P. (SR) No. 5 of 2016

M/s. REI Power Bazaar Private Limited vs Nil

Petition filed seeking to establish power market (power exchange) in the state of Telangana u/s 86 (1) (k) read with section 66 of Electricity Act, 2003.

Sri. Anirban Mondal, Assistant Manager – Legal, representative of the petitioner is present. The representative stated that the petition is filed for establishment of power market to be operated within the state of Telangana.

The Commission noticed that the transmission and distribution licensees who are necessary stakeholders in the matter are not made parties to the petition. Office is directed to issue notice to TSTRANSCO and TSDISCOMs as well as TSGENCO. The Commission adjourned the matter to 04.07.2016. The counsel for the DISCOMs Sri Y. Rama Rao, who was present in the court hall stated that the licensee would respond to the petition upon notice.

Sd/-
Member

Sd/-
Member

Call on 04.07.2016
At 11.00 AM
Sd/-
Chairman

O. P. No. 5 of 2016

TSSPDCL & TSNPDCL vs Nil

Petition filed for determination of pooled cost for the power purchase for the year 2014 – 15 to be considered for the year 2015 – 16.

Sri Y. Rama Rao, Counsel for petitioner along with Smt. Priya Iyengar, Advocate are present. The counsel stated that the Commission is required to examine and pass orders in the matter. Heard and reserved for orders.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman